



# Town Council Agenda Report

**SUBJECT:** QUASI JUDICIAL - VARIANCE

**CONTACT PERSON/NUMBER**

Name: Jason Eppy, Planner II  
Phone: (954) 797-1108

**TITLE OF AGENDA ITEM:**

V 11-1-99 "Pine Island Park", Town of Davie, petitioner/owner - 3800 SW 92nd Avenue -  
Generally located between Pine Island Road and SW 92nd Avenue south of SW 36th  
Street and north of Orange Drive.

**REPORT IN BRIEF:**

The subject site, Pine Island Park, is a regional "active" park designed to serve all of the Town's residential population. Over the past several years, the demand for different recreational opportunities within this location has increased. In November 1998, a bond issue was approved by the Town earmarking \$8,000,000 for expansion of the Pine Island Park facilities, including a new multi-purpose recreation building. The proposed height of the multi-purpose building is 35 feet in height, however, the current Town code has a maximum height limit of 25 feet within the RS District. Therefore, the Town of Davie is seeking a variance to allow for the increase in height.

Regional active parks are typically larger in scale than those parks serving several neighborhood areas. Pine Island Park is the only active regional park owned by the Town of Davie, and includes 106.72 acres of land. This provides for large open green spaces with substantial distances between abutting properties and park facilities. For example, the proposed multi-purpose building will be located approximately 1,200 feet from the residential homes to the north. Therefore, there are special circumstances which apply to this property that do not generally apply to other properties in the same zoning district.

In addition, multi-purpose buildings require greater roof heights to provide for its versatility in use. In many instances it may be substituted for outdoor facilities in times of bad weather, such as basketball, volleyball and roller hockey, and sports which require high clearance limits. Therefore, the request is not self-created as the additional height is necessary in order for the building to function as intended. Staff believes the proposed 35 foot height meet the general intent and purpose of the code.

**PREVIOUS ACTIONS:** None.

**CONCURRENCES:**

The Planning and Zoning Board made a motion to approve (4-0, motion by Mr. Sthal, second by Mr. Pisula, Mr. Kuvn absent) at its December 8, 1999 meeting.

Staff recommends approval with a finding that the request meets the general intent and purpose of the code, is the minimum variance necessary, and will not be injurious to the planned and adjacent uses.

**FISCAL IMPACT:** Not Applicable.

**RECOMMENDATION(S):** Motion to approve.

**Attachment(s):** Planning Report, Land Use Map, Subject Site Map, and Aerial.

Exhibit "A":

Original Report Date: 12/1/99

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**TOWN OF DAVIE  
Development Services Department  
Planning & Zoning Division Staff  
Report and Recommendation**

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**APPLICANT INFORMATION**

**Owner:**

**Name:** Town of Davie  
**Address:** 6591 Orange Drive  
**City:** Davie, FL 33314  
**Phone:** (954) 797-1035

**Agent:**

**Name:** Cheryl Dolin, R.A. Project Manager  
**Address:** 6591 Orange Drive  
**City:** Davie, FL 33314  
**Phone:** (954) 797-1191

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**BACKGROUND INFORMATION**

**Application Request:** To exceed the maximum 25 foot height limit permitted within the RS, Recreation/Open Space District to allow for a 35 foot high structure.

**Address/Location:** 3800 SW 92nd Avenue / Generally located between Pine Island Road and SW 92nd Avenue, south of SW 36th Street and north of Orange Drive.

**Land Use Plan Designation:** Residential (1 du/ac)

**Zoning:** RS, Recreation and Open Space

**Existing Use:** Pine Island Park

**Proposed Zoning:** RS, Recreation/Open Space District

**Proposed Use:** Multi-Purpose Recreation Building

**Parcel Size:** 106.72 acres (4,648,723.2 square feet)

**Surrounding Land Use:**

**North:** Single Family Homes (Forest Ridge).

**South:** Vacant Land

**East:** Multi-family dwellings (Isla Merita), Townhomes (Alpine Woods), and vacant land.

## **Surrounding Zoning:**

**North:** PRD, Planned Residential Development.

**South:** AG, Agricultural District.

**East:** RM-10, Medium Dwelling District.

**West:** CF, Community Facilities District and RS, Recreation/Open Space District.

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## **ZONING HISTORY**

**Related Zoning History:** None

**Previous Requests on same property:** None

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## **DEVELOPMENT PLAN DETAILS**

The proposed building will be a one-story 19,079 square foot building which includes: 2 multi purpose rooms, game room, arts and crafts room, gymnasium, kitchen, lobby, reception office, and will stand 34 feet 4 inches.

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## **Applicable Codes and Ordinances**

Land Development Code, Section 12-83; RS, Recreation/Open Space District: Maximum height 25 feet.

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## **Comprehensive Plan Considerations**

**Planning Area:** The subject site falls within Planning Area 2. This area includes the westernmost section of the Town north of Orange Drive and south of SW 14th Street, and bound on the west by Interstate 75 and on the east by Flamingo Road. The predominant existing and planned land use is single family residential at a density of one dwelling unit per acre.

**Broward County Land Use Plan:** The subject site falls within Flexibility Zone 100.

The petitioner has provided a letter from the Broward County Planning Council indicating the proposed multi-purpose building is exempt from platting requirements (see attached letter from the Broward County Planning Council) .

## **Staff Analysis**

The subject site is considered to be a regional active park designed to serve all of the Town's residential population. Over the past several years the demand for different recreational opportunities within this location has increased. In November 1998, a bond issue was approved by the Town earmarking \$8,000,000 for expansion of the Pine Island Park facilities.

including \$2,000,000 for construction cost of the multi-purpose recreation building and \$6,000,000 for site/drainage improvements, new basket ball courts, tennis courts, a roller hockey rink and concession building. The proposed height of the multi-purpose recreational building is 35 feet. However, the current Town code has a maximum height limit of 25 feet. Therefore, the Town of Davie is seeking a variance to allow for the increase in height.

Regional active parks are typically larger in scale than those parks serving several neighborhood areas. Pine Island Park is the only active regional park owned by the Town of Davie, and includes 106.72 acres of land. This provides for large open green spaces with generous distances between abutting properties and park facilities. Therefore, there are special circumstances which apply to this property that do not generally apply to other properties in the same zoning district.

In addition, multi-purpose buildings require greater roof heights to provide for its versatility in use. In many instances it may be substituted for outdoor facilities in times of bad weather, such as basketball, volleyball and roller hockey, and other sports which require high clearance limits. Therefore, the request is not self-created as the additional height is necessary in order for the building to function as intended. Staff believes the proposed 35 foot height meet the general intent and purpose of the code.

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## Findings of Fact

### **Variances: Section 12-309(B)(1)**

- (a) There are special circumstances and conditions applying to the land and building for which the variance is sought, which circumstances or conditions are peculiar to such land and building and do not apply generally to land or buildings in the same district, and that said circumstances or conditions are such that the strict application of the provisions of this chapter may deprive the applicant of the reasonable use of such land or building for which the variance is sought, and that the hardship is not self-created by any person having an interest in the property;
- (b) The granting of the variance may be necessary for the reasonable use of the land or building and that the variance as requested is the minimum variance that will accomplish this purpose;
- (c) That granting the variance will be in harmony with the general purpose and intent of this chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

## Staff Recommendation

**Recommendation:** Based upon the above and the overall finding of facts in the positive, staff recommends approval of application no. V 11-1-99.

## Planning and Zoning Board Recommendation

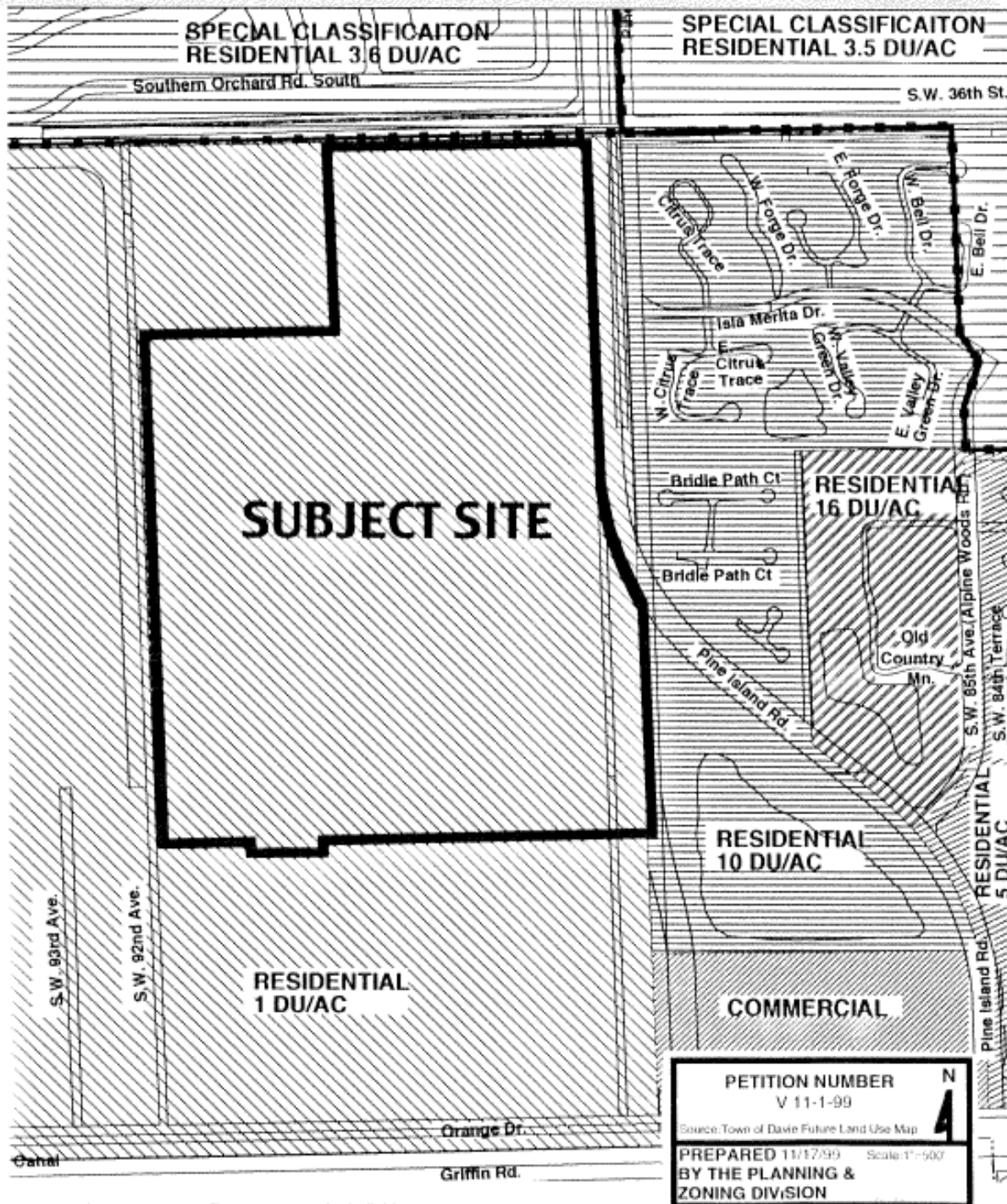
The Planning and Zoning Board made a motion to approve (4-0, motion by Mr. Sthal, second by Mr. Pisula, Mr. Kuvin absent), at its December 8, 1999 meeting.

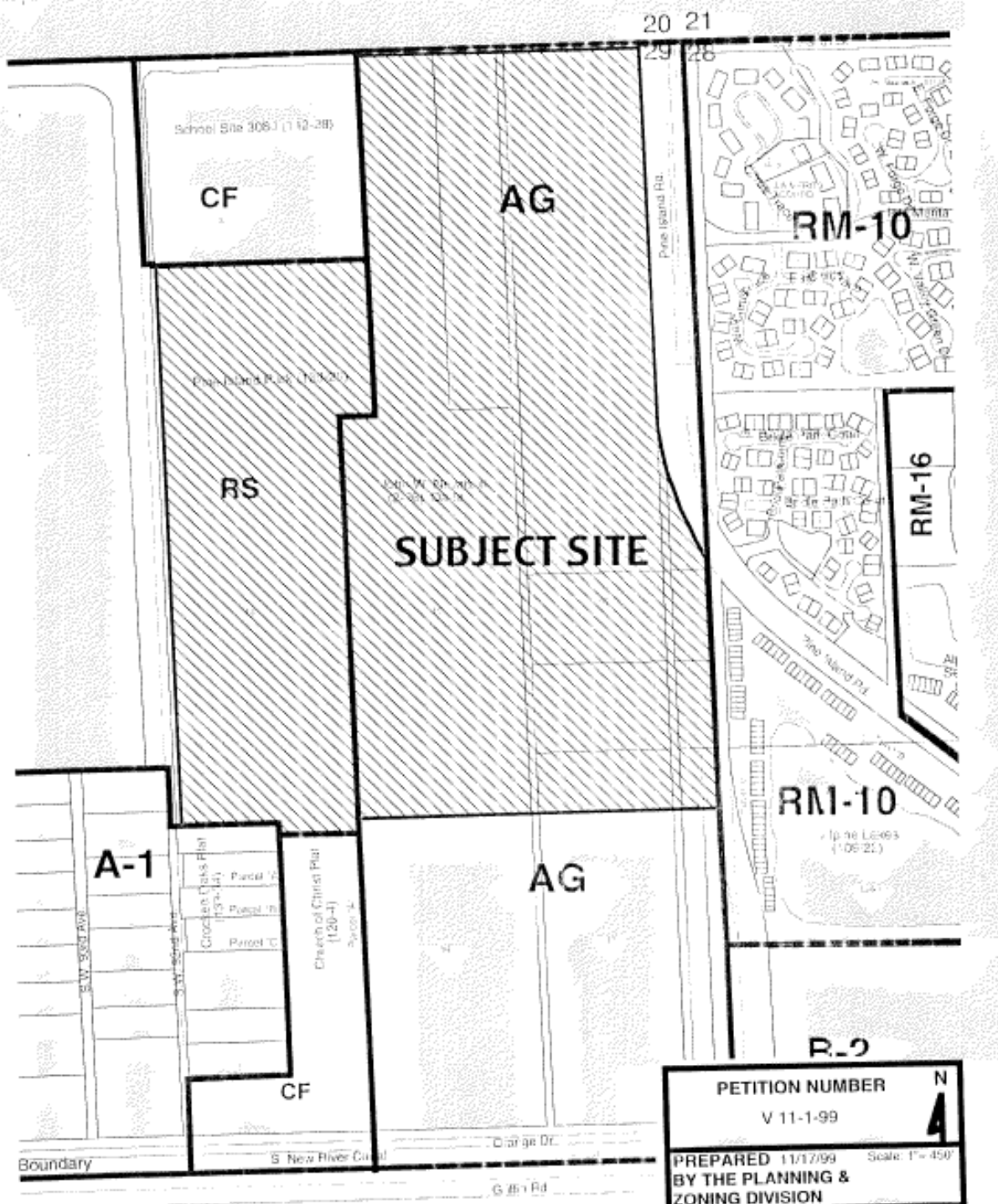
## Exhibits

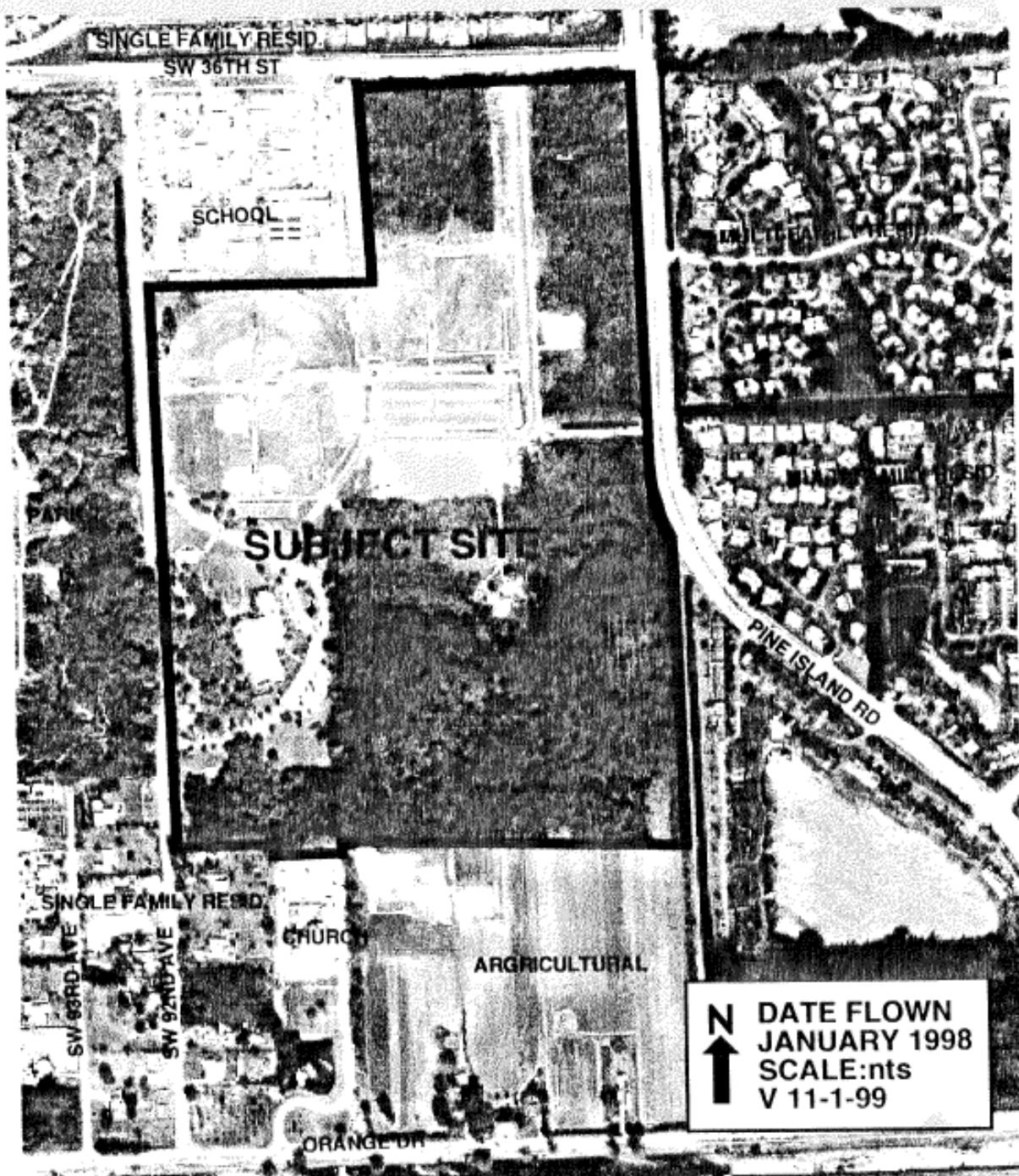
1. Land Use Map
2. Subject Site Map
3. Aerial

Prepared by: \_\_\_\_\_

Reviewed by: \_\_\_\_\_







SINGLE FAMILY RESID.

SW 36TH ST

SCHOOL

SUBJECT SITE

SINGLE FAMILY RESID.

CHURCH

AGRICULTURAL

PINE ISLAND RD

SW 36TH AVE

SW 36TH AVE

ORANGE DR

N  
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DATE FLOWN  
JANUARY 1998  
SCALE: nts  
V 11-1-99